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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/921,375

08/02/2001

Ray Whitney

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PATENT, COPYRIGHT & TRADEMARK LAW GROUP  
430 WHITE POND DRIVE  
SUITE 200  
AKRON, OH 44320

EXAMINER

NGUYEN, MY XUAN

ART UNIT

PAPER NUMBER

2617

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/921,375	<b>Applicant(s)</b> WHITNEY, RAY	
	<b>Examiner</b> My X. Nguyen	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 12 recites the limitation "the digital signal" and "the data received." There is insufficient antecedent basis for these limitations in the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,915,020 (Tilford et al., hereinafter Tilford) in further view of U.S. Patent 6,141,062 (Hall et al., hereinafter Hall) and U.S. Patent 5,428,671 (Dykes et al., hereinafter Dykes).

Regarding claim 12, Tilford discloses the claimed:

a digital wireless PC/PCS modem having an antenna attached to a PCMCIA card-type interface in communication with an integrated circuit board, said modem works in conjunction with a computer (i.e., PCMCIA card having an antenna and circuitry that effects cellular communication functions, Col. 7 Line 45 – Col. 8 Line 10) provided with a swivel-based camera (i.e., small video camera, Fig. 8 Element 123, Col. 3 Lines 45-67 & Col. 13 Lines 51-57), a microphone (Fig. 8 Element 121, Col. 3 Lines 51-54 & Col. 13 Lines 51-57) and [at least three] tuner cards (video decoder, Fig. 7 Element 74, Col. 7 Lines 18-25) to relay wireless communications via satellite (i.e., digital satellite system, Fig. 1 Element 20, Col. 4 Line 56 – Col. 5 Line 19).

Furthermore, Tilford discloses the claimed steps of:

passing the digital signals transmitted via a satellite link and a wireless relay system (i.e., digital satellite system, Fig. 1 Element 20, Col. 4 Line 56 – Col. 5 Line 19) from said antenna that receives said signals (i.e., antenna, Fig. 11, Col. 7 Lines 45-49) to a series of line amplifiers (i.e., amplifier, Col. 6 Lines 26-29), said series of line amplifiers and a network switching element (i.e., transport IC, Fig. 12 Element 68, Col. 11 Lines 59-61) have an input buffer (i.e., buffer, Col. 11 Lines 65-67) coupled therebetween, said network switching element receives input from said PC/PCS modem (Col. 11 Lines 41-61), said network switching element has a frequency/feedback (i.e., Feed LNB, Fig. 7 Element 41) along with a channel/screen selection function (i.e., application programs may be run simultaneously with the display of the video image, Col. 9 Lines 57-65) flowing from said switching network bi-directionally to a multi-tuner (i.e., transport IC, Fig. 7 Element 68);

passing the data received from said multi-tuner module to a microprocessor (i.e., microprocessor & transport IC, Fig. 7 Elements 65 and 68).

What Tilford does not explicitly disclose is the claimed *at least three* tuner cards and further does not explicitly disclose the steps of:

passing said data on to a universal asynchronous receiver transmitter via a first bi-directional path, said universal asynchronous receiver transmitter is responsible for all data transfers from a computer system to the computer system's output system, wherein said data transfer occurs between all modules through a series of parallel bus, a series of serial transmit bus and a series of serial receive bus.

Regarding the claimed at least three tuner cards, Hall does disclose the claimed at least three tuner cards (i.e., video decoder, Fig. 1 Elements 220, 240 & 260, Col. 2 Lines 62-67).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to implement the feature of Hall with the combined system of Tilford and Dykes because the feature of using three tuner cards is old and well known in the prior art. The motivation to make the combination is to beneficially allow a user to access a plurality of data from multiple sources.

Regarding the claimed steps of passing said data on to a universal asynchronous receiver transmitter via a first bi-directional path, said universal asynchronous receiver

transmitter is responsible for all data transfers from a computer system to the computer system's output system, wherein said data transfer occurs between all modules through a series of parallel bus, a series of serial transmit bus and a series of serial receive bus, Dykes does disclose the claimed passing said data on to a universal asynchronous receiver transmitter via a first bi-directional path, said universal asynchronous receiver transmitter is responsible for all data transfers from a computer system to the computer system's output system (i.e., UART Support, Fig. 2 Element 100, Col. 6 Line 51 – Col. 8 Line 63), wherein said data transfer occurs between all modules through a series of parallel bus, a series of serial transmit bus and a series of serial receive bus (i.e., parallel bus, serial RX & serial TX, Fig. 2).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to implement the features of Dykes with the combined system of Tilford and Hall because the features of a universal asynchronous receiver transmitter, a series of parallel bus, a series of serial transmit bus and a series of serial receive bus is old and well known in the prior art. The motivation to implement the said features is to provide an efficient means to transmitting and receiving the data from the wireless system to the wireless PCMCIA modem.

Claim 13 is met by the combination of Tilford, Hall and Dykes, wherein Dykes discloses the claimed:

aligning said data in a proper configuration by means of a micro controller (Fig. 2 Element 102);

processing said proper configuration by means of a voice, a data, a fax and a video processor (i.e., DSP Support, DSP & Codec, Fig. 2 Elements 106, 108 & 110) through a second parallel bus, a second serial transmit bus and a second serial receive bus (i.e., parallel bus, serial RX & serial TX, Fig. 2), said voice, data, fax and video processor includes a digital signal processing support module used as a prebuffer (i.e., DSP Support, Fig. 2 Element 106) into a digital signal processor (i.e., DSP, Fig. 2 Element 108), and wherein said digital signal processor performs all necessary operations on said data, including handshake verification, through a series of built-in algorithms (Fig. 2, Col. 6 Line 51 – Col. 8 Line 63, the microcontroller inherently aligns data in the proper configuration to be processed by voice, data, fax, and a video processor, and the DSP inherently performs all necessary operations on the data, including handshaking verification, through a series of built in algorithms in order to communicate to the modem).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 12 and 13 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My X. Nguyen whose telephone number is (571) 272-2835. The examiner can normally be reached on Monday through Friday at 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571) 272-7915. The fax phone




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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.X.N.  
07/20/2007

  
RAFAEL PEREZ-GUTIERREZ  
SUPERVISORY PATENT EXAMINER  
7/23/07